

**Minutes
Nevada Organic Advisory Council Meeting
11 April 2008**

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV 89502

1. Call to Order

Meeting called to order 1:00 p.m.

2. Roll Call

Council Members Present: J. Smith, M. Litsinger, S. Davidson

Members of the Public: Ray Johnson, Steve Litsinger, Rick Lattin, Clifford Shirk, Steve Slusser, Doug Busselman

NDOA staff: Steve Marty, Ed Foster

3. Introductions

4. Approval of Agenda

The agenda for the April 11, 2008 OAC meeting was approved as offered.

5. Minutes from Previous Meeting

Jim Smith motioned to approve as offered, seconded by Sharon Davidson. Minutes were approved by a vote of 3-0. It was requested that meeting minutes be mailed to council members in addition to being posted to the Nevada Department of Agriculture website at http://agri.nv.gov/PLANT_OAC-Meetings.htm#Minutes.

6. Public Participation

Doug Busselman of the Nevada Farm Bureau stated that his public comment would coincide with items already on the agenda and asked that his comments be heard during the relevant portion of the meeting. Chairperson Marcia Litsinger agreed.

7. Old Business

A) Correspondence and Announcements

A letter submitted by former Organic Advisory Council chairperson Virginia Johnson was handed out to those in attendance and read silently. A copy of the letter is available as an attachment below.

C) Update and possible action on the status of California AB541 and potential Bill Draft Request concerning GMO crops in Nevada

This agenda item was taken out of order as it was relevant to Mrs. Johnson's letter of correspondence as well as Doug Busselman's public comment. Mr. Busselman explained that Nevada Farm Bureau policy has supported and continues to support organic agriculture. However, Nevada Farm Bureau policy also supports the biotech industry as it pertains to agriculture, thus any attempts at state-level legislation regarding GMO crops would be in opposition to Nevada Farm Bureau policy. The issue was discussed amongst those present, with the general consensus being that a venue or forum for discussing GMO issues is needed. A motion stating that the Nevada Organic Advisory Council will not pursue legislation regarding GMO crops in Nevada, but rather will focus direction toward outreach, education, and

relationships with farmers and the public was put forth by Jim Smith and seconded by Sharon Davidson. The motion passed by a vote of 3-0.

B) Post-OAC Workshop discussion and concerns or actions to be taken for future workshops. The general consensus among the group was that the March 22, 2008 workshop had been a great success. Chairperson Marcia Litsinger suggested that more promotional materials would help further the goals of the OAC. Steve Marty stated that he would confirm the number of tri-fold organic brochures and organic 'buttons' present at NDOA's Reno office. Marcia Litsinger suggested the possibility of producing bumper stickers with a Nevada Organic logo or slogan. Rick Lattin suggested that representation at the first or second Whole Foods market would be a good promotional tool. Rick also mentioned the May 15 workshop at Whole Foods aimed at educating potential local suppliers. More information may be obtained by contacting Bruce Quinlan at the Reno Whole Foods store. Discussion moved toward the next OAC workshop, and it was suggested that the workshop be held in Southern Nevada. Rick Lattin mentioned that Cooperative Extension agents Holly Gatzke and Bob Morris could possibly be of assistance for the southern workshop. Jim Smith suggested Elaine Ingham as a featured speaker on soil science and microbiology. Mr. Smith also suggested the possibility of holding both a northern as well as a southern workshop in Fall of 2008. A motion to hold two OAC workshops in Fall 2008, one to be held in Southern Nevada in conjunction with an OAC meeting and the second to be held in Northern Nevada, with Jim Smith to contact Elaine Ingham regarding a soil-science presentation was put forth by Sharon Davidson and seconded by Jim Smith. The motion passed by a vote of 3-0.

D) Follow-up Reports

I. Discussion of responses submitted to the Nevada Farm Bureau and Nevada Nile Ranch regarding the "No-GMO" letter

No action was taken

II. Livestock certification concerns and action to be taken

Steve Marty stated that an organic livestock certification program would not be available through NDOA this year, but that the project had not been shelved completely. No action was taken.

E) Update on Nevada Organic Review newsletter responsibilities delegation

The letter of correspondence from former OAC Chairperson Virginia Johnson concerning her availability to produce the newsletter was read by those in attendance. The letter is available below as an attachment. The general consensus of the group was that purchasing and distributing copies of the "Growing for Market" publication was not suitable, but that copies of the OMRI publication would be reproduced and distributed to all operations certified by NDOA. Steve Litsinger stated that he was interested in producing the Nevada Organic Review newsletter pending the availability of the relevant software and supplies, as well as mailing lists distinguishing which recipients got the newsletter by mail versus e-mail. Mr. Litsinger noted that his work had been published in several local and regional publications in the past. Jim Smith asked if the OAC would still have input and review capabilities. Ray Johnson stated that the contract between the State of Nevada Department of Agriculture and Mr. Litsinger could serve in this capacity. A motion that a contract be drafted for the production of four issues of the Nevada Organic Review newsletter with a monetary amount not to exceed \$5,000 was made by Sharon Davidson and seconded by Jim Smith. The motion passed by a vote of 3-0.

8. New Business

B) Organic Advisory Council member vacancy election vote

This item was taken out of turn at the discretion of the Chairperson. A motion to recommend Clifford Shirk to the State Board of Agriculture to fill the remaining term of a producer vacancy on the Organic Advisory Council was made by Jim Smith and seconded by Sharon Davidson. The motion passed by a vote of 3-0.

C) Discussion and possible action on the creation of a treasurer's position for the OAC

A motion not to create a treasurer's position, but rather to receive a financial report at each council meeting was put forth by Jim Smith and seconded by Sharon Davidson. The motion passed by a vote of 3-0.

A) Organic Advisory Council chair and vice-chair position elections

A motion to table agenda item 8a until the next OAC meeting was made by Sharon Davidson and seconded by Jim Smith. The motion passed by a vote of 3-0.

9. Schedule Next Meeting

The next OAC council meeting was scheduled for September 5, 2008 at 1:00 p.m. at the Nevada Department of Agriculture, 350 Capitol Hill Ave Reno NV 89502.

10. Adjourn

The meeting adjourned at 4:30 p.m.

*Attachments- letters of correspondence from Virginia Johnson

Custom Business Services

Virginia Johnson

3701 Elm Street Silver Springs, NV 89429

775-577-2069

customgardens@mindspring.com

April 7, 2008 Regarding:
Nevada Organic Advisory Council
Nevada Organic Review
Newsletter

Dear Marcia and Advisory Council Members:
(by USPS mail April 7)

This letter is to advise you that you will need to seek bids from some other source, for the Editorial and Coordination of Content for your newsletter, the Nevada Organic Review.

Having concluded the three issues from the previous contract (under funding from the Agricultural Council of Nevada) I am not in a position to undertake a new contract for any future editions. In addition, I apologize, but must retract my offer to do a courtesy (no charge) edition this Spring. I am sure you will find someone to undertake the future Nevada Organic Review newsletters.

Just a thought:

Hopefully, until you find another contractor, you will be able to fill the desire for communications with the organic producer and handler community in Nevada, by purchasing courtesy copies from Lynn Byczynski, Editor Publisher of "Growing for Market" growing4market@earthlink.net and also determine a way to provide all Certified Nevada Organic Program members with the OMRI quarterly news. Both of these publications would nicely serve to fill the gap - and both should easily fit in your budget, under organic newsletter and/or publications. The GFM publication, in past years was funded for all NV Program participants, by legislative funds, so this is not a new concept.

Sincerely, VJJ

Custom Business Services

Email copy: Steve Marty

Ed Foster

Virginia Johnson

Custom Gardens Organic Farm

NV Certified # 1001P 3701 Elm Street Silver Springs, NV 89429

775-577-2069

customgardens@mindspring.com

Nevada Organic Advisory Council
Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV. 89502

Dear NV Advisory Council members:

I will appreciate this letter be read into the minutes under correspondence:

Before I humbly submit my thoughts and observations on selection of a new person to fill the latest producer vacancy (which was left upon my retirement from the NV Advisory Council), I wish to submit to you the Nevada Revised Statute, pertaining to three actions (you are about to take, at your meeting of April 11, 2008):

Under old business: # 7-C

NRS: 587.810: (This is the purpose for which the NV Organic Advisory Council exists.)

(a) Advise the Director and the State Board of Agriculture concerning the provision of information and educational services to the public and to producers and handlers of organic agricultural products concerning the program for the certification of producers and handlers of organic agricultural products established by the Director pursuant to NRS 587.800, if such a program is established; and

(b) Provide information and educational services to the public and to producers and handlers of organic agricultural products.

(Added to NRS by 1997, 1635; A 1999, 3732; 2003, 399)

In this regard -- As an opponent to GE, I still believe: For the NV Organic Council, itself, to vigorously pursue and thus be a "sponsor" of GMO legislation is not in the best interests of your continuing existence. What the legislature creates - the legislature can take away. I believe at this point, you may be overstepping your purpose, by becoming political in regards to the GMO concern. To spend public taxpayer dollars (your budget) to take the leadership role on GMO legislation, I believe, is not in keeping with the NRS that allows you to "provide information and education to the public, producers, and handlers."

Please see next page 2

I urge you to consider that private organizations, such as Friends of Nevada Organics, Org and I am sure others, may be better situated to take up the GMO Issue, and possible political stance to create, provide, and lobby for regulating or prohibiting legislation, regarding GMOs in Nevada. I do not believe it is your job as an Advisory Council to the Department of Agriculture. What each of you does with your private views and activities is of course private. I caution it may not be wise to keep wearing two hats, as council members.

Under new business: Regarding 8-B Vacancy, and ~~B-C~~ treasurer position

NRS 587.810 Advisory Council for Organic Agricultural Products: Creation; members; powers.

1. An Advisory Council for Organic Agricultural Products is hereby created in the Department. The Advisory Council consists of:

- (a) **Four** members who are producers or handlers of organic agricultural products;
- (b) **One** member who is a purchaser, consumer, or wholesale or retail seller of organic agricultural products; and
- (c) **One** member who represents an agricultural interest other than organic agricultural products.

2. The Director shall nominate members for the Advisory Council, and the State Board of Agriculture shall appoint the members.

3. The Advisory Council may:

(a) Advise the Director and the State Board of Agriculture concerning the provision of information and educational services to the public and to producers and handlers of organic agricultural products concerning the program for the certification of producers and handlers of organic agricultural products established by the Director pursuant to NRS 587.800, if such a program is established; and

(b) Provide information and educational services to the public and to producers and handlers of organic agricultural products.

(Added to NRS by 1997, 1635; A 1999, 3732; 2003, 399)

NRS 587.820 Advisory Council for Organic Agricultural Products: Terms of members; vacancy; ~~election of officers~~; meetings; compensation of members.

1. The State Board of Agriculture shall appoint three of the first members of the Advisory Council for Organic Agricultural Products for terms of 2 years and three for terms of 3 years. After the expiration of the initial term, the term of office of each member is 3 years. **A vacancy must be filled, for the unexpired term, by appointment of a member whose qualifications are the same as those of the member replaced.** The Advisory Council ~~shall elect a Chairman and Vice Chairman from among its members~~. The Director shall provide appropriate secretarial support and a place for the meetings of the Advisory Council.

2. The Advisory Council shall meet at least annually, upon the call of the Director or the Chairman. A majority of the members appointed to the Advisory Council constitutes a quorum.

3. For each day or portion of a day necessarily spent on the business of the Advisory Council, each member is entitled to receive:

(a) Compensation, to be fixed by regulation of the State Board of Agriculture, which must not exceed \$80 per day; and

(b) The per diem allowance and travel expenses provided for state officers and employees generally.

(Added to NRS by 1997, 1635; A 1999, 3732; 2003, 400)

I am sure you will see, after reading the highlighted portions above, that: Per NRS 587.810 under a) the vacancy "must be filled" with a producer for the unexpired term, (left by my retirement) which ends, (I believe) June, 2010.

Continued next page 3

My urging, therefore, in keeping with the intention of the law, is that you fill the current vacancy with a producer, Mr. Clifford Shirk from Sod Buster Farm #1045P. Clifford has expressed his desire to serve on the organic advisory council, on previous occasions.

(According to Steve Marty per an inquiry I made) Ms. Jessica Cummings is the organic representative for Peri and Sons Farm, who are certified with "Organic Certifiers", an out of state private certifier -- whom in my opinion owes no allegiance to the state of Nevada, and Nevada Certified Program. With not one thing personally against Peri and Sons or their representative, Ms. Cummings, I point out she is not a producer, but a "representative" -- and therefore does not qualify to fill this particular vacancy as a producer, under any circumstances. In addition, Peri and Sons contributes nothing to the Nevada Organic Certification Program, by way of certification fees, that allows our Nevada Program to further the cause for Nevada Producers and Handlers, overall.

Regarding Agenda Item 8-C: The above NRS 587.820 - 1, only allows the council to elect among themselves, a Chairman and a Vice Chairman (not a treasurer). In addition, the By-laws of the NV Organic Advisory Council provides only a Chairman and Vice Chairman be elected, not a treasurer.

Remember, your advisory is created by NV law, and as such must conduct your "business" and activity, according to the law. If you start to stray to far from the intent of the law, you may wish to first change the law (in the legislature) and then the by-laws to allow you the flexibility of other issues and needs you may want to undertake. Please do not forget you are an advisory council, not a political entity. In closing, I sincerely wish your council, all the success in your endeavors - that is possible to achieve.

I have tried to be as tactful as possible, in urging your council to always look very carefully at the NRS that created the NV Organic Program, and the Advisory Council. Be cautious, that you do not overstep your purposes, which are clearly outlined. Please remain, as I am, loyal to Nevada Organic Program.

Very Sincerely,

Virginia Johnson

Immed. Past Chm. NOAC

CC: Steve Marty

DRAFT